

REMARKS

This communication is responsive to the Office Action mailed December 14, 2004.

Drawings

The drawings are amended to include the designation –Prior Art—in Figs. 1 and 2.

Information Disclosure Statement

With regard to the Information Disclosure Statement, Applicant is resubmitting herewith the C1 to C5 references.

Claim Rejections – 35 USC § 112

Applicant has amended the claims to clarify that the “initializing” is “initializing the isolated execution unit into a desired state supplied by the external program” and that the initializing is prior to establishing the communication path. See, for example, page 10, lines 15-17, which describes “The intermediary component then initializes the isolated execution unit into the one or more desired state(s) supplied by the external program in operation 408.” The timing of the initialization (i.e., prior to establishing the communication path) is disclosed, for example, in the Figure 4 flowchart, which shows step 408 (initialization) before step 412 (establishing communication path). It is respectfully submitted that the claims comply with the written description requirement.

Claim 39 has been amended to depend from claim 38 and, thus, there is now sufficient antecedent basis for claim 39.

Claim Rejections – 35 USC § 101

Claims 1-15 have been amended as suggested by the Examiner, to recite a “computer implemented method” in the preamble.

Claim Rejections – 35 USC § 102 and 35 USC § 103

Claims 1-9, 12, 13, 15-24, 27, 28, 30-36 and 38 are rejected as being anticipated by Azagury. It is respectfully submitted that Azagury fails to anticipate each and every element recited in the claims.

For example, the Examiner contends that Azagury discloses “introducing an intermediary software component within an isolated execution unit.” However, while the cited portion of Azagury discloses a “target MRM object 44,” which the Examiner appears to contend is an “intermediary software component,” there is nothing in the cited portion of Azagury that discloses “introducing” the target MRM object 44. Rather, the target MRM object 44 is just there, as part of the target method relay manager.

Perhaps more significantly, the Examiner's contentions with respect to the "intermediary software component" are inconsistent. As such, the Examiner's allegations that rely on these contentions are unsupported and, thus, flawed. First, in the statement regarding the "introducing" step, the Examiner considers the intermediary software component to be the target MRM object 44. Then, in the statement regarding the identifier indicating step, the Examiner considers the intermediary software component to be a source intermediate thread.

This is not immediately apparent from the face of the Examiner's statement, but the Examiner does reference a statement from Azagury that states "incorporates the identity and other parameters into the intermediate thread." The citation is to col. 6, lines 52-60 of Azagury. There, it is clear that the "intermediate thread" being discussed is an intermediate thread obtained "from thread supply object 32, using a thread supply method 90 running on object 32." Thus, the "intermediate thread" to which the identity of the remote thread is being indicated is on the source side and not the target side.

Clearly, it is inconsistent for the Examiner to contend that the intermediary software component is the target MRM object 44 in one instance and a source-side intermediate thread in another instance. Thus, with respect to "introducing" and "indicating," the Examiner has not met the burden of showing that Azagury discloses both of these elements.

In summary, then, Azagury fails to disclose a number of elements recited in Applicant's claims for the following reasons:

- Azagury fails to disclose "introducing" an intermediary software component
- The "intermediary software component" cannot be both the target MRM object 44 and a source side intermediate thread and, so, the Examiner has not met the burden that Azagury discloses both "introducing" and "indicating."

As a result, the Examiner has not made a proper *prima facie* case that Azagury anticipates the rejected claims.

With regard to the claims the Examiner contends are obvious – claims 10, 11, 14, 25, 26, 29, 37 and 39 – the Nevarez secondary reference is relied upon only for an alleged disclosure of a "translator" and does not cure the deficiencies of the Examiner's allegations discussed above, with respect to the Azagury reference. Thus, the Examiner has also not made a proper *prima facie* case of obviousness.

For at least these reasons, Applicant respectfully requests the Examiner to withdraw the anticipation and obviousness rejections.

CONCLUSION

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "AS Hodes".

Alan S. Hodes
Reg. No. 38,185

P.O. Box 70250
Oakland, CA 94612-0250

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 1 and 2. This sheet, which includes Figs. 1 and 2, replaces the original sheet including Figs.1 and 2.

Attachment: Replacement Sheet